

Exhibit 1

Freeman, Daniel (CRT)

From: Freeman, Daniel (CRT)
Sent: Monday, March 21, 2022 5:00 PM
To: Patrick Sweeten; Eric Hudson; Will Thompson; Jeff White; Kathleen Hunker
Cc: mimi@texascivilrightsproject.org; pstegemoeller@aaldef.org; sosaki@aclu.org; skumar@aclutx.org; slakin@aclu.org; slorenzo-giguere@aaldef.org; tbuser-clancy@aclutx.org; umittal@jenner.com; asavitzky@aclu.org; aharris@aclutx.org; acepedaderieux@aclu.org; asegura@aclutx.org; jvattamala@aaldef.org; jamunson@jenner.com; ldavis@drtx.org; lostrom@drtx.org; Hani Mirza; Leif Olson; Aaron Barnes; Joshua Clarke; Elizabeth Saunders; gyeomans@naacpldf.org; kdulaney@reedsmith.com; jholmes@naacpldf.org; ksadasivan@naacpldf.org; kbroughton@reedsmith.com; lspencer@reedsmith.com; abadat@naacpldf.org; scummings@reedsmith.com; wakschlag@thearc.org; sean@lyonsandlyons.com; bclements@freespeechforpeople.org; laura.rosenbaum@stoel.com; wendy.olson@stoel.com; chostetler@freespeechforpeople.org; elijah.watkins@stoel.com; jbonifaz@freespeechforpeople.org; marc.rasich@stoel.com; rfein@freespeechforpeople.org; Clem@lyonsandlyons.com; nperales@maldef.org; christopher.bell@friedfrank.com; jason.kanterman@friedfrank.com; Jlongoria@MALDEF.org; kevin.zhen@friedfrank.com; michael.keats@friedfrank.com; rebecca.martin@friedfrank.com; liz.ryan@weil.com; paul.genender@weil.com; morales-doyles@brennan.law.nyu.edu; alexander.cohen@weil.com; andrew.garber@nyu.edu; jasleen.singh@nyu.edu; matt.berde@weil.com; patrick.berry@nyu.edu; Christian.Menefee@cao.hctx.net; Fombonne, Jonathan (CAO; sameer.birring@cao.hctx.net; domingo@dgley.com; gwhite@elias.law; johnhardin@perkinscoie.com; jhawley@elias.law; jposimato@elias.law; kyukevich@elias.law; melias@elias.law; mmixon@elias.law; unkwonta@elias.law; aleo@cooley.com; mejiab@cooley.com; christine@statesuniteddemocracy.org; ghbell@cooley.com; khartnett@cooley.com; kspector@cooley.com; oarmon@cooley.com; ranjana@statesuniteddemocracy.org; zack@statesuniteddemocracy.org; Cubriel, Lisa; josephine.ramirez@da.co.hidalgo.tx.us; leigh.tognetti@da.co.hidalgo.tx.us; Barbara.Nicholas@dallascounty.org; ben.stool@dallascounty.org; earl.nesbitt@dallascounty.org; tony.nelson@traviscountytexas.gov; leslie.dippel@traviscountytexas.gov; patrick.pope@traviscountytexas.gov; sherine.thomas@traviscountytexas.gov; Stewart, Michael (CRT); Yun, Jennifer (CRT); Paikowsky, Dana (CRT); Dellheim, Richard (CRT); Zachary Dolling; Sarah Chen
Subject: RE: LUPE v. Texas (SB 1): Deposition Notices

Patrick,

To the extent that any of the deponents are not available on the date for which we have noticed a deposition, we would be happy to discuss proposed alternatives. It was our hope that by providing more than a month of notice, we could avoid any such issues. Please let us know if there are any specific deposition dates that will pose a problem.

Secretary Scott is a named defendant in this matter, and he has been extensively involved in the public implementation of the challenged provisions of SB 1. The United States has the right to take the deposition of a defendant regarding his personal involvement in and responsibilities for the subject of the litigation, even if that defendant is a senior state official. To the extent that you seek only to limit the scope of any deposition of Secretary Scott—rather than a protective order against Secretary Scott sitting for a deposition at all—we would be happy to meet and confer about the specifics of your request. To the extent the state defendants seek to prevent that deposition in its entirety, the United States objects to the proposed motion.

Regards,

Dan

From: Patrick Sweeten <Patrick.Sweeten@oag.texas.gov>

Sent: Monday, March 21, 2022 3:58 PM

To: Freeman, Daniel (CRT) <Daniel.Freeman@usdoj.gov>; Eric Hudson <Eric.Hudson@oag.texas.gov>; Will Thompson <Will.Thompson@oag.texas.gov>; Jeff White <Jeff.White@oag.texas.gov>; Kathleen Hunker <Kathleen.Hunker@oag.texas.gov>

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Subject: [EXTERNAL] RE: LUPE v. Texas (SB 1): Deposition Notices

Daniel,

On March 14th and again on March 15, you submitted six deposition notices to various State of Texas employees. You did so without contacting our office to discuss proposed scheduling dates. Included with your notices, was a notice seeking to depose the sitting Texas Secretary of State, John Scott.

We will be filing a motion for protection/to quash related to the deposition notice related to Secretary Scott. Please let us know by 5 p.m. CT if you oppose that filing.

Best Regards,

Patrick K. Sweeten

From: Freeman, Daniel (CRT) <Daniel.Freeman@usdoj.gov>

Sent: Tuesday, March 15, 2022 7:27 PM

To: Patrick Sweeten <Patrick.Sweeten@oag.texas.gov>; Eric Hudson <Eric.Hudson@oag.texas.gov>; Will Thompson <Will.Thompson@oag.texas.gov>; Jeff White <Jeff.White@oag.texas.gov>; Kathleen Hunker

<Kathleen.Hunker@oag.texas.gov>

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Subject: LUPE v. Texas (SB 1): Deposition Notices

Counsel:

Attached please find Rule 30(b)(6) deposition notices for the Office of the Texas Secretary of State and the Texas Department of Public Safety.

Regards,

Dan Freeman

Daniel J. Freeman
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